

REMARKS

Interview Summary

Applicant acknowledges the courtesies extended by Examiner Good during the telephone interview conducted on June 13, 2011 with Applicant's undersigned representative, Eric L. Amundsen. The rejections of independent claims 1, 11 and 16 over U.S. Patent No. 5,178,620 to Eggers et al. (hereinafter, "Eggers") were discussed. Possible amendments to the claims regarding the configuration of connectability of electrode portions to a power source were discussed. The further substance of the interview is incorporated in the following remarks.

Claim 1

Claim 1 stands rejected under 35 U.S.C. §102(b) as being anticipated by Eggers. Claim 1 recites, among other features, an ablation electrode wherein the electrode is convertible from a first configuration in which the electrode outer ablating surface has a first axial size and a first radial size to a second configuration in which the electrode outer ablating surface has a second axial size and maintains the first radial size. The ablation electrode comprises a first electrode portion and a second electrode portion.

According to the Office Action, Eggers discloses a first electrode portion 3 and a second electrode portion 2 which are in electrical contact with each other.

Without acceding the propriety of the rejection, claim 1 is being amended herein to recite that each of the first electrode portion and the second electrode portion are a portion of the same electrode and are configured to be connected to a same terminal of a power source. As discussed during the interview, Eggers heats resistive masses by applying a voltage difference between two electrodes, which then forms a current flow between the electrodes. The electrodes of the catheter are electrically insulated from one another so that the only available path for current flow is through an external path, such as a resistive mass targeted for heating. As such, Eggers

does not disclose that the electrode 2 and electrode 3 of Eggers are configured to be connected to the same terminal of a power source, because such a configuration would not allow for a voltage differences between the two electrodes. Accordingly, withdrawal of the rejection of claim 1 over Eggers is respectfully requested. Support for the amendment to claim 1 may be found throughout the specification, including, for example, at page 8, lines 17-23.

Each of claims 3-7 and 33 depends either directly or indirectly from claim 1, and withdrawal of the rejections of these claims is respectfully requested for at least the same reasons provided above for claim 1.

Claim 11

Claim 11 also stands rejected under 35 U.S.C. §102(b) as being anticipated by Eggers. Without acceding to the propriety of the rejection, claim 11 is being amended to recite that each of the electrode portions is a portion of the same ablation electrode and is configured to be connected to a same terminal of a power source. As discussed above, Eggers does not disclose that electrode 2 and electrode 3 are configured to be connected to a same terminal of a power source. Consequently, withdrawal of the rejection of claim 11 is respectfully requested.

Each of claims 12 and 13 depends directly from claim 11, and withdrawal of the rejections of these claim is respectfully requested for at least the same reasons provided above for claim 11.

Claim 16

Claim 16 also stands rejected under 35 U.S.C. §102(b) as being anticipated by Eggers. Without acceding to the propriety of the rejection, claim 16 is being amended to recite that each of the first electrode portion and the second electrode portion are a portion of the same ablation electrode and are configured to be connected to a same terminal of a power source. As discussed above, Eggers does not disclose that electrode 2 and electrode 3 are configured to be connected

to a same terminal of a power source. Accordingly, withdrawal of the rejection of claim 16 is respectfully requested.

Each of claims 17 and 19 depends directly from claim 16, and withdrawal of the rejections of these claim is respectfully requested for at least the same reasons provided above for claim 16.

CONCLUSION

Applicant believes the pending application is in condition for allowance.

Applicant believes no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 23/2825 under Docket No. B1075.71014US01 from which the undersigned is authorized to draw.

Dated: July 11, 2011

Respectfully submitted,

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